

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EUNICE JOHNSON,

Plaintiff,

v.

TRIPLE LEAF TEA INC.,

Defendant.

No. C-14-1570 MMC

**ORDER VACATING HEARING ON  
DEFENDANT'S MOTION TO DISMISS  
OR STRIKE; CONTINUING CASE  
MANAGEMENT CONFERENCE;  
DENYING AS MOOT STIPULATION FOR  
PLAINTIFF'S COUNSEL TO APPEAR  
TELEPHONICALLY**

Before the Court is defendant Triple Leaf Tea, Inc.'s "Motion to Dismiss, or in the Alternative, Motion to Strike Plaintiff's Complaint," filed May 16, 2014. Plaintiff Eunice Johnson has filed opposition, to which defendant has replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter suitable for decision on the parties' respective written submissions, and hereby VACATES the hearing scheduled for July 28, 2014.


Further, in light of the pendency of the motion to dismiss, the Court hereby CONTINUES the case management conference from July 28, 2014 to September 12, 2014, at 10:30 a.m. The parties shall file a joint case management statement no later than September 5, 2014.

Finally, in light of the above, the Court hereby DENIES as moot the parties' "Joint Stipulation for Plaintiffs' Counsel, Skye Resendes, to Appear at Motion to Dismiss and

Case Management Conference Hearings by Telephone,” filed July 15, 2014.<sup>1</sup> For future reference, however, the parties are advised that, although the Court may conduct case management conferences by telephone for good cause shown, the Court does not conduct hearings by telephone.

**IT IS SO ORDERED.**

Dated: July 18, 2014

  
MAXINE M. CHESNEY  
United States District Judge

---

<sup>1</sup>Plaintiff failed to provide the Court with a chambers copy of the stipulation. Plaintiff is reminded that, pursuant to Civil Local Rule 5-1(e)(7) and the Court’s Standing Orders, parties are required to provide for use in chambers one paper copy of each document that is filed electronically.